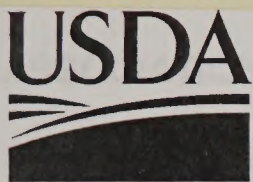


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United States  
Department of  
Agriculture

Marketing and  
Regulatory  
Programs

Agricultural  
Marketing  
Service

Livestock and  
Seed Program

# Items of Interest in Seed Control

## October 2005

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## ASSOCIATION OF AMERICAN SEED CONTROL OFFICIALS MEETING

Seed Regulatory and Testing Branch (SRTB) Chief Richard Payne and Seed Marketing Specialists Jeri Irwin and Gene Wilson attended the 19<sup>th</sup> annual Association of American Seed Control Officials (AASCO) meeting in Austin, TX, July 16-21, 2005.

Opening Remarks were given by the following:

- Dr. Wayne Guerke, Vice President, Association of Official Seed Analysts
- Diane Mesa, President, Society of Commercial Seed Analysts
- Darrel Strouts, President, Association of Official Seed Certifying Agencies
- Leslie Cahill, American Seed Trade Association
- Bob Ehart, National Association of State Departments of Agriculture
- Randall Jones, USDA, Agricultural Marketing Service (AMS) Livestock and Seed Program (LS)
- Dr. Richard Payne, USDA, AMS, LS, SRTB
- Dr. Christine Tibelius, Canadian Food Inspection Agency, Seed Section

The following presentations were made:

- AASCO's Financial Review and Health, David Buckingham (KY)
- Plant Variety Protection, Dr. Paul Zankowski, Commissioner, USDA, AMS, Plant Variety Protection Office
- States Noxious-Weed Seed Designations, Robynne Anderson, Contract Consultant, International Committee Coordinator
- View on Noxious-Weed Labeling, Dr. Richard Payne, USDA, AMS, LS, SRTB
- Preemption and Jurisdiction/Seed Laws, Larry Nees (IN), David Godfrey (CA), and Joe Garvey (PA)
- Future in Seed Technology, John Gerard, President, Access Plant Technology
- Invasive Species Council Update, Dr. Gary Beil, MN Crop Improvement Association
- Seed Sampler Training Workshops and Sampler Accreditation, Tim Gutormson, Mid-West Seed Services
- National Organic Program, Maury Johnson, Blue River Organic Seed
- Sampling Handbook Presentation and Open Discussion, Dr. Wayne Guerke (GA)
- Native Seed Production and Purpose, Steve Burningham (UT)
- Native Species and Seed Regulations, David Buckingham (KY)
- Ensuring Trait Purity in Roundup® Ready Flex Cotton, Dr. Byron Savoy, Monsanto
- Marketing Native Species, Wayne Vasser, Sharp Seeds
- Testing Native Grasses, Dr. Brent Turnipseed (SD)
- Restoration Species, Morris Houck, Jr., USDA, Natural Resources Conservation Services
- Lady Bird Johnson Wildflower Center, Dr. Damon Waitt
- Roundup® Alfalfa Labeling Issues, Dr. Richard Payne, USDA, AMS, LS, SRTB

There were many interesting presentations given at the AASCO meeting. Much of the agenda focused on native species. Topics ranged from production to testing to marketing these species. Many of these presentations will be in the AASCO Official Publication.

The work on AASCO "Seed Sampling Handbook" is progressing. This handbook will be of great value to all seed sampling programs. It will standardize sampling methods. It is hoped to have the 2<sup>nd</sup> draft ready for review by the end of the year, so that the approved manual will be available to all of our members and the seed industry at next years annual meeting.







Work is also continuing on AASCO's quality management system (QMS) project. It was agreed that AASCO would work towards developing a system similar to AOSA Accredited Seed Lab program. This would mean AASCO will develop the standards necessary for becoming an Accredited Seed Sampler and USDA-AMS will conduct the auditing process.

David Buckingham (KY) discussed the results of his survey on the Financial Health of AASCO. He looked at options available to AASCO for maintaining financial stability, with increasing dues as the most practical solution. As a result of this discussion, the AASCO business meeting the motion was passed to increase AASCO's dues, which could go in to effect in fiscal year 2007-08.

Three of the five proposed amendments to RUSSL were passed. They are on the AASCO web site; <http://www.seedcontrol.org>

Vince Snyder, now retired from The Scott's Company, was presented with an Honorary Service Award in recognition for his dedicated service to AASCO and the seed industry. Vince and his wife Michele were present to receive his award.

For information regarding this article, contact Seed Marketing Specialist Jeri Irwin (704) 810-8878; [jeri.irwin@usda.gov](mailto:jeri.irwin@usda.gov).

State officials provided, in part, the following reports from the AASCO regional meetings. (Views expressed are those of the writers and may not reflect Seed Regulatory and Testing Branch (SRTB) policy.)

### **Association of Seed Control Officials Northeastern States**

The Association of Seed Control Officials of the Northeastern States (ASCONES) met at the regional meeting July 19, 2005. Member States present included Maryland, New York, Pennsylvania, and Virginia, as well as SRTB. ASCONES did not have quorums therefore, no business was conducted. All members met with the Southern region.

Since ASCONES has difficulties having enough members present at a meeting to have a quorum, Joe Garvey (PA) will be sending an amendment ballot out in a couple weeks so all members can vote on this question.

We would like to thank ASCONES President Joe Garvey for submitting information for this report.

### **North Central States Seed Control Officials Association**

The North Central States Seed Control Officials Association (NCSSCOA) held their annual meeting July 19, 2005. Member States present included Indiana, Iowa, Kansas, Minnesota, Nebraska, North Dakota, Wisconsin, Ohio, as well as the Canadian Food Inspection Agency and the SRTB. Three guests also attended, Tim Gutormson, Diane Mesa, and Brent Turnipseed.

President Svik declared a quorum and appointed Audit, Resolution and Nominations committee members. The minutes of the 2004 meeting were read by Chuck Dale and approved by the members. The Treasurer's report was given and approved. Richard Payne gave a report on Seed Regulatory and Testing Branch activities. Individual State reports were also presented.







Topics of interest for discussion included the new Association of Official Seed Analysts/Society of Commercial Seed Technologists (AOSA/SCST) voting procedure on the Rules for Testing Seed and the upcoming release of Roundup® Ready alfalfa by Monsanto. The control officials have expressed concern about the stated 90 percent Roundup® resistant (RR) effectiveness on the initial planting and how the product will be labeled to inform the consumer of the level of coverage. Other RR crops such as soybeans and corn have 98 percent or 99 percent effectiveness.

**Committee Reports:** The Audit Committee found that the Treasurer's books were in order. The Nominations Committee announced the names of President Greg Helmbrecht, Vice President Bill Gault, and Secretary-Treasurer Chuck Dale. The 2005-2007 slate was elected by acclamation.

**New Business:** A motion was passed "to direct the AASCO Finance Committee to look into the feasibility of establishing one fee for both national and regional dues with a rebate returned to each region."

We would like to thank NCSSCOA President David F. Svik for submitting information for this report.

### **Southern Seed Control Officials Association**

The Southern Seed Control Officials Association (SSCOA) met on July 19, 2005. Member states present were Alabama, Arkansas, Florida, Georgia, Kentucky, Maryland, North Carolina, Pennsylvania, Texas, Virginia, as well as the Seed Regulatory and Testing Branch (SRTB).

Jeri Irwin reported on SRTB activities. Individual State reports were also presented.

The following topics were discussed:

- Native Grasses & Forbs- Recap on how each state is dealing with these.
- State noxious-weed seed lists – the possibility of a uniform list to be compiled for all southern states.
- How do seed control officials deal with "Cover Crop" wheat when state laws allow "VNS" or "Variety Unknown" labeling. Wheat being planted from grain elevators labeled as VNS, lawsuits filed, etc.
- Freedom of Information requests for portions of file samples.
- Sources of triers for sampling.
- Variety labeling requirements.
- Establishing a check sample program for quality assurance in our laboratories.
- North Carolina update on monitoring biotechnology crops.

President John Crayton was presented with an SSCOA merit award for outstanding service. New officers for 2005-2007 were installed: President Kelly Book; 1<sup>st</sup> Vice President Eddie Martin; 2<sup>nd</sup> Vice President Fabian Watts; and Secretary/Treasurer Mary Smith. Eddie Martin is the elected representative to the AASCO Executive Board from the Southern Region.

We would like to thank John Crayton for submitting information for this report.

### **Western Association of Seed Control Officials**

The Western Association of Seed Control Officials held their regional meeting on July 19. Membership representation present: California, Colorado, Montana, New Mexico, Oregon, Utah, Washington, Canada, and the Seed Regulatory and Testing Branch. Also, present was Darrel Strouts, President of Association of Official Seed Certifying Agencies (AOSCA) and Michael Gerdes of Syngenta seeds.







Incoming President Larry Krum presided and called the meeting to order.

Roger Osburn (NM) has already seen seed packets on sale with germination of 2006. Last year, seed industries were concerned over the short window of testing requirements under the Recommended Uniform State Seed Law (RUSSEL). Various officials discussed the issue and most agreed that this would not be allowed in their States. October would be the earliest most States would allow the new year's date to show up for sale.

Tagging/Labeling when grow-out results are used in lieu of fluorescence for determining percentages of perennial and annual ryegrass: John Heaton (CA) thought that fluorescence results may not be consistent; Fawad Shaw (WA) says Washington does only fluorescence tests (not grow outs). A consensus was reached that officials would accept a label based on grow-out provided it was labeled as such.

How do state and Federal laws define and apply the terms mixture and blend? Background - Several instances have occurred in which Oregon companies have received warnings or violations for incorrect application of these terms on labels: e.g., Minnesota issued a warning when three varieties of Kentucky bluegrass were labeled as a mixture. USDA and most of the other States do not use the term blend. Responses varied with some States defining mixtures and blends similarly to RUSSEL and other States allowing interchangeable use of the terms.

Members were pleased with the Sampling Handbook draft and appreciated the work done on it.

John Heaton was voted in as Vice President/Secretary.

We would like to thank Ron Pence for submitting information for this report.

#### **OTHER MEETINGS ATTENDED BY STRB STAFF:**

Seed Regulatory and Testing Branch Plant Pathologist Sandra Walker attended, International Seed Testing Association (ISTA) 5th Seed Health Symposium in Angers, France, May 10-13, 2005. Lectures were presented on standardization of methods in seed health testing and on validating a test protocol. Attendees presented documentation from all continents about emerging seed health problems. They also toured GEVES (the French seed testing station that is equivalent to the SRTB), INRA (which deals with plant variety protection), and the Bacteriology Section of the National Laboratory for Plant Health (equivalent to APHIS-PPQ). GEVES was a large and well-equipped facility.

On June 17, 23, and 24, 2005, Seed Marketing Specialist Perry Bohn who manages the Organization for Economic Cooperation and Development (OECD) Seed Schemes program at SRTB, conducted OECD Program reviews of Idaho, Oregon, and Washington. Dr. Richard Payne accompanied him on the last two reviews. While in Idaho, they had an opportunity to visit an "end user" of the OECD Program, Jacklin Seed, a division of J.R. Simplot Company. While there, they visited production areas, toured the grass seed conditioning and production plant, and visited with management on OECD improvements and services.

June 19-22, 2005, Seed Marketing Specialist Perry Bohn and Chief Dr. Richard Payne attended the American Seed Trade Association (ASTA) annual meeting in Seattle, WA. Perry had the opportunity to discuss the Accredited Seed Lab program (ASL) and improvements in the operation of the U.S. OECD program. Perry also gave a presentation to the Seed Industry Relations Committee on upcoming OECD Seed Schemes Annual Meeting and updates to the OECD program. In addition, the American Seed Trade Association (ASTA) awarded Dr. Richard Payne with the 2006 ASTA Chairman's Distinguished Service Award for his service and dedication to the seed industry. He was cited as the only person who had the Federal Seed Act almost memorized and for his willingness to assist seed companies to follow it in distribution of seed in the United States.







On June 23 and 24, 2005, SRTB Agronomist Mike Lovelace and Plant Pathologist Sandra Walker attended the Southeast Greenhouse Conference and Trade Show in Greenville, SC. The conference had sessions on the latest technology for greenhouses and greenhouse management. The SRTB is in the process of planning to build a greenhouse, and this event allowed us to look at available systems and determine what would meet the needs of the SRTB. The greenhouse will be located next to our building in Gastonia, NC, and no date has been set for completion.

On June 26-30, 2005, Seed Marketing Specialist Perry Bohn and Chief Dr. Richard Payne attended the Association of Official Seed Certifying Agencies meeting in Big Sky, MT. While there, Perry was able to spend time reviewing the multiplication process with two OECD/AOSCA officials from Chile. This visit was important to ensure smooth multiplication for the upcoming year. Perry also gave two presentations to committee and general sessions.

On August 9-12, 2005, the Seed Regulatory and Testing Branch (SRTB) conducted a Federal Seed Testing Workshop at the South Dakota State Seed Laboratory in Brookings, SD. SRTB Laboratory Supervisor Susan Maxon and Botanist Patsy Jackson conducted the training. The topics included purity and identification of crop and weeds, laboratory sampling techniques, and other aspects of the Federal Seed Act regulations. A total of 21 seed analysts participated--twelve from six state programs and nine from six private seed laboratories. Thanks to Brent Turnipseed and his staff, of South Dakota State University, for hosting the workshop.

On August 29-September 2, 2005, the Seed Regulatory Testing Branch Agronomist Michael Lovelace attended the 7<sup>th</sup> ISTA Statistics in Seed Testing Workshop near Stuttgart, Germany. The meeting was hosted by Dr. Michael Kruse at Hohenheim University. The workshop was focused on practical applications of statistics in seed testing. Discussion topics included the development and application of tolerances, how to set up, conduct, and analyze proficiency tests, and Seed Calc practical applications (a statistical software package used for seed testing). Scientific symposia addressed new statistical approaches for seed testing, statistics of testing biotech varieties, and statistics for scientific research.

For information regarding this article, contact Branch Secretary Karen Sussman (704) 810-8871; [karen.sussman@usda.gov](mailto:karen.sussman@usda.gov).

#### **UPCOMING MEETINGS:**

Seed Regulatory Testing Branch Program Officials will participate in the Annual Meeting of the OECD Seed Schemes in Paris, France, September 27 to October 1, 2005: A two-day workshop on modern biotechnology and seed certification will be held September 27-28, preceding the annual meeting itself. AMS is the designated authority for the OECD Seed Schemes in the United States. More than 50 countries participate in the Schemes and agree on rules for the varietal certification of seed moving in international trade. In preparation for the OECD Seed Schemes annual meeting and workshop, a teleconference with representatives of the seed industry was held August 2 and an interagency conference call on August 3, 2005.

Seed Regulatory and Testing Branch Program officials will plan to attend the 2006 Mid-Winter AASCO Meeting in San Diego, CA, February 22-23, 2006, for Board Members, Committee Members, and Officers. The two main emphases will focus on Seed Sampling Handbook and on Quality Management System Seed System.

For information regarding this article, contact Branch Secretary Karen Sussman (704) 810-8871; [karen.sussman@usda.gov](mailto:karen.sussman@usda.gov).







## **SRTB WORKSHOPS AND TRAINING:**

Seed Regulatory Testing Branch Program officials will conduct training sessions in Gastonia, NC, September 12-16 and October 24-28, 2005, for seed analysts from state seed testing laboratories: These Federal Seed Schools are being hosted by the Seed Regulatory and Testing Branch for enforcement of the Federal Seed Act. Topics will include purity and identification of crop and weed seeds, laboratory sampling techniques, and other aspects of the Federal Seed Act regulations. Approximately 15 participants have pre-registered for each session, and new staff members from the SRTB will attend. The purpose of the training is to promote uniformity in seed testing under the Federal Seed Act.

Seed Regulatory Testing Branch Program Officials will conduct training sessions in Gastonia, NC, December 6 and 8, 2005, for State Seed Control Inspectors and Seed Certification employees from nearby states. Some of the topics include sampling principles, sampling documentation, sampling bin & bulk containers, seed inspectors conduct, title V varieties, and certification labeling issues.

For information regarding this article, contact Branch Secretary Karen Sussman (704) 810-8871; [karen.sussman@usda.gov](mailto:karen.sussman@usda.gov).

## **TRIERS, PROBES, AND AUTOMATIC SEED SAMPLERS PART II**

In Part I of this article, which appeared in the April 2005 issue of IOI, we began our discussion of seed sampling equipment by referring mostly to domestic sources of information for regulations and guidance. In Part, II we now turn to the international arena for additional guidance. The International Seed Testing Association (ISTA) proves to be a major source of information concerning such equipment and how to use it. In terms of general information, section 2.6.4 of the International Rules for Seed Testing and section 5.2.2 of the "ISTA Handbook on Seed Sampling" offer some helpful suggestions, which I have summarized as follows:

- The seed sampler, before actually sampling the seed, must decide upon the appropriate equipment and techniques to use given the kind of seed, the type and size of container, and other pertinent factors.
- The instruments being used must neither damage the seed nor select according to seed size or any other quality trait.
- The length of the Nobbe trier must be at least half the length of the container. If the length is not sufficient to reach at least halfway, another tool or method must be used.
- When the seed is in bulk or in large containers, the samples should be drawn from random positions and depths.
- In the case of chaffy seeds that have not been rendered free flowing or seeds that may be damaged if sampled by instruments, the samples may be drawn by hand.
- Seed may be sampled as it enters the containers, provided that the equipment uniformly samples the cross section of the seed stream; it may be operated either under manual or automatic control.

In general, tools for sampling bags or other containers of seed are cylindrical tubes of uniform width except for the point, which is used to penetrate the container. They may have one or more openings. These openings should be at least two times the maximum diameter of the seed being sampled. The trier or probe cannot be made of plastic because of electrostatic effects. ISTA rules prescribe two types: the Nobbe trier and the stick or sleeve trier.





## Sleeve and Nobbe triers

The following information concerning sleeve and Nobbe triers is largely derived from the International Rules for Seed Testing, Section 2.6.4A and the "ISTA Handbook on Seed Sampling", Section 5.2.2.

*The Sleeve trier.* The stick or sleeve trier is composed of a hollow tube inside an outer tube or sleeve. Both tubes have open slots which, when matched up, allow seeds to flow into the inner hollow tube. When the tube is full of seeds, the sampler can turn the inner tube, essentially closing the slots. The tubes can vary in dimension, both by length and diameter. Unlike the Nobbe trier, the sleeve trier must be long enough to reach across the container as opposed to just halfway. They also may have partitions or not, and can be designed for different kinds of seed and various container sizes. For example, clover and other small free-flowing seeds can be sampled with a 762 mm trier with outside diameter of 12.7 mm and nine slots. Cereals can be sampled with a 762 mm trier with outside diameter of 25.4 mm and six slots. Triers sufficiently large enough for sampling bins can be up to 1600 mm in length and 38 mm in diameter with six or nine slots.

To be used vertically, triers must have partitions dividing it into compartments. A trier without partitions will allow seed to drop into the trier from the upper level when the trier is opened, leading to a disproportionate amount of seed from that area. When using a trier composed of compartments, the whole content of the trier is considered to be one sample and not the individual compartments.

When possible the trier should be inserted diagonally into the bag or container. For bulk seed, vertical insertions may be more practical. The sleeve trier may be used for most seed, except possibly very chaffy species.

*The Nobbe trier.* The Nobbe trier may also be made in various dimensions in order to obtain a better sample of various kinds of seed. It consists of a pointed tube of sufficient length to reach the center of the bag, and has an oval hole near the pointed end. The width of the hole should be at least two times the diameter of the seed being sampled. The length of the hole should be between two and five times the width of the hole. The seed passes through the tube and is collected in a container. The total length of the trier should be approximately 500 mm of which the handle comprises 100 mm and with a point of about 60 mm. For cereals, the internal diameter should be about 14 mm, but for clovers and similar seeds, 10 mm is sufficient. The Nobbe trier cannot be used vertically. It is also not possible to sample the bottom of a container with a Nobbe trier.

This type of trier is not appropriate for sampling seed in bulk but will work for bags using the following method:

The trier should be inserted gently into the bag, pointing upwards at an angle of about 30 degrees to the horizontal, with the hole facing downwards until it reaches the centre of the bag. The trier is then revolved through 180 degrees, bringing the hole to face upwards, and is withdrawn with decreasing speed so that the quantity of seed obtained from successive locations increases progressively from center to side of the bag. Alternatively, a trier long enough to penetrate to the farther side of the bag should be withdrawn at a relatively constant speed. While the trier is being withdrawn, it should be gently agitated so that an even flow of seed is maintained.<sup>1</sup>

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1 International Rules for Seed Testing, edition 2004, International Seed Testing Association, Section 2.6.4.A.2.





### Other manual seed-sampling equipment

While there is a wide variety of sampling equipment, not all such equipment is equally acceptable. The following examples are not validated for inclusion in the ISTA Rules and may not be used for sampling for issuing ISTA Certificates.

Cargo or bulk samplers were developed for sampling large containers or bulk seed. There is a wide variety of designs but all essentially allow the seed sampler to reach depths not normal for even large triers.

Another type of equipment is the "chain-type" sampling stick. It consists of two tubes that fit together to a closed stick when pushed into the seed. The tubes open from the top to the bottom sequentially and seed is collected into the tubes and can be withdrawn.

The thief-trier, as defined by ISTA, consists of one tube with a handle and a decreasing diameter from the handle towards the tip. The concept is that the increasing diameter towards the handle allows seed to enter the trier along the whole entering depth and to move towards the handle. The problem is it significantly over-represents the outer parts of the container. It does not supply a representative sample.

The tube trier is cut at one end at an angle and has a handle at the other end. It cannot be used vertically.

Part III, which will appear in a future issue of the IOI, will address the subject of automatic seed samplers.

For information regarding this article, contact Seed Marketing Specialist Gene Wilson (704) 810-8888; [gene.wilson@usda.gov](mailto:gene.wilson@usda.gov)

### **ADMINISTRATIVE CHANGES**

Dr. Yujia Wu joined the Seed Regulatory and Testing Branch in the position of Plant Physiologist on May 1, 2005. He majored in plant physiology as an undergraduate and graduate student. However, he gained a sound foundation of knowledge in the fields of plant physiology, molecular biology, biochemistry, and molecular genetics during these years. Yujia came to us from Washington State University (WSU) where he was a Research Associate in the School of Biological Science. Before working at WSU, he was a senior scientist at a genomic company in Washington State. His duties will include developing protein electrophoresis procedures for use in crop seed variety testing.

For information regarding this article, contact Seed Marketing Specialist Kevin Robinson (704) 810-7264; [kevin.robinson2@usda.gov](mailto:kevin.robinson2@usda.gov)





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## RESERVE SEED COLLECTION INFORMATION

Our Reserve Seed Collection (RSC) consists of more than 700 different seed species. The list of seed species, available through the RSC, is on our Web site at <http://www.ams.usda.gov/lsg/seed.htm> under "Seed Resource."

To request seed samples from the RSC, enclose envelopes labeled with the number and corresponding scientific names you are requesting and arrange in numerical order. For a quicker response, send no more than 150 requests at a time. Instructions are also on our Web site for your convenience.

Requests should be mailed to:

Reserve Seed Collection Coordinator  
Seed Regulatory and Testing Branch  
LS, AMS, USDA  
801 Summit Crossing Place, Suite C  
Gastonia, NC 28054-2193

For information regarding this article contact Laboratory Supervisor Susan Maxon (704) 810-8877; [susan.maxon@usda.gov](mailto:susan.maxon@usda.gov).

## ADDRESS AND PERSONNEL CHANGES REQUESTED

Although the "Items of Interest in Seed Control" is now an electronic-only publication, paper correspondence still is our primary means of communication with our customers. If you receive other information from us, please keep us informed of any name, title, personnel, mailing address, or e-mail address changes you might have so that we can keep our records current.

Seed control officials: Please inform us when higher-level personnel (*i.e.*, Secretaries, Commissioners, Directors, *etc.*) changes are made, including address and title changes, so we can promptly update our records and mailing lists.

Contact Branch Secretary Karen Sussman with any changes (704) 810-8871; [karen.sussman@usda.gov](mailto:karen.sussman@usda.gov).

## SUGGESTIONS FOR THE ITEMS OF INTEREST IN SEED CONTROL

We welcome ideas or articles you feel should be included in this publication. If you wish to submit an article, please e-mail to Kevin Robinson as an attachment [kevin.robinson2@usda.gov](mailto:kevin.robinson2@usda.gov) or by fax to (704) 852-4109. We reserve the right to edit, any or all parts of submitted articles as necessary to comply with our formatting.

## FEDERAL SEED ACT CASE SETTLED

The following cases were settled administratively under the Federal Seed Act between April 1, 2005, and September 30, 2005. Under the administrative settlement procedure, the seed Regulatory and Testing Branch and the firms neither admit nor deny the changes. Official Program Announcements on each of these cases is accessible on the following Web site: <http://www.ams.usda.gov/news/newsreel.htm>:







- DLF International Seeds, Halsey, OR, has paid \$1,500 for a case involving three seed shipments. The alleged violations, while not the same for all shipments, were false labeling of germination, pure seed, and other crop percentages; false labeling as to variety name and date of test; failure to keep required records; failure to label as to the origin. Seed regulatory officials in Kentucky, Nebraska, and Tennessee cooperated in the initial sampling and inspection.
- J. Lee Company, Hennessey, OK, has paid \$3,850 for a case involving seven seed shipments. The alleged violations, while not the same for all shipments, were false labeling of germination and pure seed percentages, and date of test; failure to label the presence of noxious-weed seed, and failure to show the shippers name and address or code designation; failure to keep required records; and failure to use proper nomenclature on label. Seed regulatory officials in Georgia and Texas cooperated in the initial sampling and inspection.
- Michigan Agricultural Commodities, Inc., Jasper, MI, has paid \$2,000 for a case involving four seed shipments. The alleged violations, while not the same for all shipments, were false labeling of germination and other crop percentages; and date of test; failure to label presence of noxious-weed seeds; and failure to keep required records. Seed regulatory officials in Georgia and Maryland cooperated in the initial sampling and inspection.
- Mountain View Seeds Ltd., Salem, OR, has paid \$1,125.00 for a case involving three shipments. The alleged violations, while not the same for all shipments, were false labeling of test date; failure to supply complete records; false labeling in regard to noxious-weed seed; and failure to use proper nomenclature on a seed label. Seed regulatory officials in Virginia cooperated in the initial sampling and inspection.
- Pennington Seed Inc., Madison, GA, has paid \$26,675 for a case involving 33 shipments from their locations in Alabama, Georgia, Missouri, and Oregon. The alleged violations, while not the same for all shipments, were false labeling of germination and purity percentages, kind name, variety name, and test date; failure to test for germination prior to interstate shipment; failure to label the presence of noxious-weed seeds and required information for a seed component; failure to keep records including those establishing the kind and variety name; and shipping seed containing prohibited noxious-weed seeds and noxious-weed seeds in excess of States limits. Seed regulatory officials in Alabama, Arkansas, Georgia, Kentucky, Pennsylvania, and Texas cooperated in the initial sampling and inspection.
- Seed Research of Oregon, Inc., Corvallis, OR, has paid \$1,575 for a case involving four seed shipments. The alleged violations, while not the same for all shipments, were false labeling of pure seed, inert matter, other crop, and weed seed percentages; failure to test for germination prior to interstate shipment. Seed regulatory officials in Missouri and Nebraska cooperated in the initial sampling and inspection.
- Smith Seed Services, Halsey, OR, has paid \$2,275 for a case involving four shipments. The alleged violations, while not the same for all shipments, were false labeling of pure seed, inert matter, and weed seed percentages; failure to label with correct kind name; failure to test for germination prior to interstate shipment; failure to keep or supply required records; and shipping noxious-weed seed in excess of States limits. Seed regulatory officials in Texas and Virginia cooperated in the initial sampling and inspection.
- Turf Merchants, Inc., Tangent, OR, has paid \$1,000 for a case involving four shipments. The alleged violations, while not the same for all shipments, were false labeling of purity percentages; failure to show the presence of noxious-weed seeds and rate of occurrence. Seed regulatory officials in Illinois and Virginia cooperated in the initial sampling and inspection.





## **RYEGRASS FLUORESCENCE LIST**

The current ryegrass fluorescence list by the National Grass Variety Review Board is available on the following Web site: <http://www.oscs.orst.edu/publications/specialreports/vfl.pdf>

## **PLANT VARIETY PROTECTION CERTIFICATE STATUS**

Check the status of certification and search for expired certificates by accessing the Plant Variety Protection Office's Web site and entering their Public Access Database:  
<http://www.ams.usda.gov/science/pvpo/PVPindex.htm>.

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.

Items of Interest in Seed Control—October 2005



FLUORESCENCE LIST

The current progress fluorescence list by the United States Variety Review Board is available on the following Web site: <http://www.ars-grin.gov/fluorescence.html>

PLANT VARIETY PROTECTION CERTIFICATE STATUS

Check the status of certification and search for expired certificates by accessing the Plant Variety Protection Office's Web site and entering their Public Access Guidelines.

The U.S. Department of Agriculture (USDA) protects the interests of its customers and the public by ensuring that the products it sells are of high quality and are free of pests and diseases. The USDA's Plant Variety Protection (PVP) program is a key part of this effort. The PVP program provides a system of intellectual property rights for plant breeders, which encourages them to develop new and improved plant varieties. The PVP program also provides a system of certification for plant varieties, which ensures that the varieties are true to type and free of pests and diseases. The PVP program is a key part of the USDA's mission to protect the interests of its customers and the public.

To be a candidate for certification, a plant variety must be new, distinct, and stable. The USDA's Plant Variety Protection (PVP) program is a key part of this effort. The PVP program provides a system of intellectual property rights for plant breeders, which encourages them to develop new and improved plant varieties. The PVP program also provides a system of certification for plant varieties, which ensures that the varieties are true to type and free of pests and diseases. The PVP program is a key part of the USDA's mission to protect the interests of its customers and the public.